

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TYSON KEITH EAGLEMAN,

Defendant.

**CR-20-17-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 10, 2021. (Doc. 16.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 9, 2021. (Doc. 11.) The United States accused Eagleman of violating his conditions of supervised release 1) by failing to report for sex offender treatment; 2) by failing to report for substance abuse treatment; 3) by failing to report for substance abuse testing; 4) by

failing to report for polygraph testing; and 5) by failing to notify his probation officer of a change in residence. (Doc. 8.)

At the revocation hearing, Eagleman admitted that he had violated the conditions of his supervised 1) by failing to report for sex offender treatment; 2) by failing to report for substance abuse treatment; 3) by failing to report for substance abuse testing; and 4) by failing to report for polygraph testing. The Court dismissed alleged violation 5 on the government's motion. (Doc. 11.) Judge Johnston found that the violations Eagleman admitted proved to be serious and warranted revocation, and recommended that Eagleman receive a custodial sentence of 3 months, with 57 months of supervised release to follow. (Doc 16.) Eagleman was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 11.) The violations prove serious and warrant revocation of Eagleman's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 16 ) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Tyson Keith Eagleman be sentenced to the custody of the United States Bureau of Prisons for 3 months, with 57 months supervised release to follow. Eagleman should not serve his term of custody at the Federal Correctional Institution in Herlong, California.

DATED this 2<sup>nd</sup> day of March, 2021.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable.

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Brian Morris, Chief District Judge  
United States District Court